

**MINUTES FOR THE COURT OF APPEAL  
STATE OF CALIFORNIA  
SECOND APPELLATE DISTRICT**

**September 12, 2007**

DIVISION ONE

B194696      Hodgman      (Certified for Publication)  
v.  
W.C.A.B. (Care Center Inc. et al.)

The decision of the Workers' Compensation Appeals Board is annulled and the matter is remanded for further proceedings consistent with this opinion.

Mallano, Acting P.J.

We concur: Vogel (Miriam A.), J.  
Jackson, J. (Assigned)

B193517 People  
v.  
Fracisco Venegas

Filed order denying petition for rehearing.

DIVISION FIVE

B192382      Marisa Isip      (Certified for Publication)

v.

Mercedes-Benz, USA, LLC

The judgment is affirmed. Respondent(s) to recover costs.

Kriegler, J.

We concur:    Turner, P.J.  
                  Armstrong, J.

B198065      Los Angeles County, D.C.S.      (Not for Publication)

v.

Sophia A. and Mark V.,

In re Gage V. et al.

The Welfare and Institutions Code section 366.26 order is reversed and the cause is remanded for compliance with the federal Indian Child Welfare Act requirements. Pursuant to the parties' stipulation, this decision is final. The remittitur is to issue forthwith. All other orders are affirmed.

Turner, P.J.

We concur:    Armstrong, J.  
                  Kriegler, J.

B197935      Los Angeles County, D.C.S.      (Not for Publication)

v.

Jesus R. Et al.,

The orders under review are affirmed.

Turner, P.J.

We concur:    Armstrong, J.  
                  Kriegler, J.

## DIVISION FIVE (continued)

B195458 People (Not for Publication)

V.

# Derrick Weatherspoon

The restitution fine imposed pursuant to section 1202.4, subdivision (b), is reduced to \$200. The parole revocation fine imposed pursuant to section 1202.45 is reduced to \$200. The trial court is to insure that a corrected abstract of judgment is delivered in a timely fashion to the Department of Corrections and Rehabilitation. In all other respects, the judgment is affirmed.

Kriegler, J.

We concur:   Armstrong, Acting P.J.

Mosk, J

B193804 People (Certified for Partial Publication)

V.

Mauricio Alfonso Mejia

The convictions on count 1 for continuous sexual abuse on count 2 for committing a lewd act upon a child are reversed. The cause is remanded to the trial court for resentencing on the remaining counts, including discretionary sentencing under the applicable version of section 667.6, as well as section 1170, subdivision (b), as to defendant's rape conviction on count 9. In all other respects, the judgment is affirmed.

Kriegler, J.

We concur: Turner, P.J.

Armstrong, J.

September 12, 2007 (Continued)

## DIVISION FIVE (continued)

[illegible]

The appeal is dismissed. Respondent to recover costs.

Mosk, J.

We concur: Turner, P.J.  
Kriegler, J.

DIVISION SIX

Court convened at 1:30 p.m.

Present: Gilbert, P.J., Yegan, J., Coffee, J., Perren, J., P. McGill, Chief Deputy Clerk and G. Bents, Senior Deputy Clerk.

Each of the following:

B189602 People v. Cuello  
B190282 People v. McCray  
B190325 People v. Miller  
B192424 People v. Baquedano  
B192458 People v. Roberson  
B192929 People v. Miranda  
B193421 People v. Chung  
B193534 People v. Zepeda  
B193893 People v. Padilla  
B195378 People v. Swearingen  
B195459 People v. Weber  
B195464 People v. Sotelo

Argument waived, cause submitted.

DIVISION SIX (continued)

B192561     People  
              v.  
              Macias

Merits:

Argued by Melissa J. Kim for appellant and argument previously waived by respondent. Cause submitted.

B195870     People  
              v.  
              Savage

Merits:

Argued by Gerald J. Miller for appellant and argument previously waived by respondent. Cause submitted.

B194408     People  
              v.  
              Love

Merits:

Argued by Richard L. Fitzer for appellant and by Dana M. Ali, Deputy Attorney General, for respondent via video conference. Cause submitted.

Gilbert, P.J. left the bench.

B196842     People  
              v.  
              Kortesmaki

Merits:

Argued by Gerald J. Miller for appellant and by Lawrence Daniels, Deputy Attorney General, for respondent via video conference. Cause submitted.

DIVISION SIX (continued)

Gilbert, P.J. resumed the bench.

B190759     People  
              v.  
              Strickland

Merits:

Argued by Sharon M. Jones for appellant and by Kenneth C. Byrne, Deputy Attorney General, for respondent via video conference. Cause submitted.

B198315     People  
              v.  
              Gavino

Merits:

Argued by Gerald J. Miller for appellant and by Sonya Won, Deputy Attorney General, for respondent via video conference. Cause submitted.

B189063     People  
              v.  
              Reed

Merits:

Argued by William J. Capriola for appellant and by Theresa Patterson, Deputy Attorney General, for respondent via video conference. Cause submitted.

Coffee, J. left the bench.

DIVISION SIX (continued)

B198470     People  
              v.  
              Binkerd

Merits:

Argued by S.R. Balash for appellant and by John Yang, Deputy Attorney General, for respondent via video conference. Cause submitted.

B199500     In re Pacheco  
              On  
              Habeas Corpus

OSC:

Presented by Richard B. Lennon for petitioner and by Gregory J. Marcott, Deputy Attorney General, for respondent. Cause submitted.

Court adjourned.

B191808     People                                 (Not for Publication)  
              v.  
              Luis

The judgment is affirmed.

Gilbert, P.J.

We concur: Coffee, J.  
              Perren, J.

September 12, 2007 (Continued)

## DIVISION SIX (continued)

[illegible]

The judgment is affirmed.

Gilbert, P.J.

We concur: Yegan, J.  
Perren, J.

[illegible]

The judgment is affirmed.

Gilbert, P.J.

We concur: Yegan, J.  
Perren, J.

## DIVISION SEVEN

[illegible]

The judgment is affirmed.

Zelon, J.

We concur: Perluss, P.J.  
Johnson, J.



September 12, 2007 (Continued)

## DIVISION SEVEN (continued)

B195932      Los Angeles County, D.C.S. (Not for Publication)  
v.  
Brian B. et al.,

The judgment is affirmed.

Zelon, J.

We concur: Perluss, P.J.  
Woods, J.

B191925 People (Not for Publication)  
v.  
Nunez

The judgment is affirmed.

Zelon, J.

We concur: Perluss, P.J.  
Johnson, J.

B190728 People (Not for Publication)  
v.  
Lott

The judgment is affirmed.

Zelon, J.

We concur: Perluss, P.J.  
Johnson, J.

DIVISION SEVEN (continued)

B197214      In re O' Bannon                      (Not for Publication)  
                 On  
                 Habeas Corpus

The petition for writ of habeas corpus is denied.

Woods, J.

We concur:   Perluss, P.J.  
                  Zelon, J.

B193681      In re Trot B, a minor  
                 Los Angeles County, D.C.S.              (Not for Publication)  
                 v.  
                 Nancy B.

The order appealed from is affirmed.

Woods, J.

We concur:   Perluss, P.J.  
                  Johnson, J.

B190751      People                                      (Not for Publication)  
                 v.  
                 Carson

The judgment is affirmed.

Woods, J.

We concur:   Perluss, P.J.  
                  Johnson, J.

## DIVISION SEVEN (continued)

B190581 People (Not for Publication)  
v.  
Castellanos

The judgment is affirmed.

Woods, J.

We concur:   Johnson, Acting P.J.  
                      Zelon, J.

B192469 People (Not for Publication)  
v.  
Rodriguez

The judgment is affirmed.

Woods, J.

We concur: Perluss, P.J.  
Johnson, J.

B196294 In re Craig G. et al., minors  
Los Angeles County, D.C.S. (Not for Publication)  
v.  
Shannon F.

The order is affirmed.

Woods, J.

We concur:   Johnson, Acting P.J.  
                      Zelon, J.

DIVISION EIGHT

B184689      Chrisman                      (Certified for Publication)  
                 v.  
                 City Of Los Angeles et al.,

The matter is reversed and remanded to the Los Angeles Police Department for reconsideration of its punishment of appellant based on his two years of misuse of the department computers from March 29, 1999, to March 28, 2001. Appellant to recover cost on appeal.

Rubin, J.

We concur:   Cooper, P.J.  
                 Flier, J.

B191532      People                              (Not for Publication)  
                 v.  
                 Miranda

The judgment is reversed and the case is remanded for resentencing.

Boland, J.

We concur:   Cooper, P.J.  
                 Flier, J.